

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re: Application of
Thomas M. WILLIAMS, Jr.

Serial No. 10/628,064

Filed: 07/25/2003

Examiner Tony H. WINNER

Art Unit 3611

**For: TELESCOPING AND SWIVELING
HITCH ASSEMBLY**

FAX RECEIVED

MAY 16 2005

Attorney's Docket No. 6166-04-03

OFFICE OF PETITIONS

PETITION TO WITHDRAW FROM ISSUE UNDER 37 CFR 1.313(c)(3)

Box ISSUE FEE
Commissioner for Patents

Sir:

Applicant hereby petitions for withdrawal of the above-noted application from issue under 37 CFR §1.313(c)(3). The issue fee was paid in the application on October 21, 2004. The application is scheduled to issue on May 24, 2005.

A copy of the Express Abandonment in Favor of a Continuing Application filed earlier in the above-noted application is enclosed for your convenience. A Continuation-in-Part Utility Application was submitted electronically on May 16, 2005 and assigned Serial Number 10/908,514. This petition is thus believed to

qualify for withdrawal from issue under 37 CFR §1.313(c)(3), and withdrawal from issue is respectfully requested.

The Commissioner is authorized to charge the petition fee of \$130.00 to applicant's attorney's Deposit Account No. 500498. The Commissioner is further authorized to charge any additional fees or credit any overpayment to applicant's attorney's Deposit Account No. 500498.

Dated: May 16, 2005

Respectfully submitted,

MILLS LAW FIRM PLLC



Peter D. Sachtjen
Reg. No. 24,619

MILLS LAW FIRM PLLC
P.O. Box 1245
Cary, NC 27512-1245
Telephone: 919-462-3036
Facsimile: 919-462-3041
Attorney Direct Line: 252-413-0475

MILLS LAW FIRM PLLC
PATENT LAWYERS

WAKE FOREST OFFICE
POST OFFICE BOX 1088
WAKE FOREST, NC 27588
TEL 919-554-4200
FAX 919-554-4243
lmills@millspatentlaw.com

150 IOWA LANE, SUITE 104
POST OFFICE BOX 1245
CARY, NC 27512-1245
TEL 919-462-3036
FAX 919-462-3041
mphillips@millspatentlaw.com

EASTERN OFFICE
3302 WALDEN DRIVE
GREENVILLE, NC 27858
TEL 252-413-0475
FAX 252-413-0445
psachtjen@millspatentlaw.com

FAX RECEIVED

Date: May 16, 2005
To: USPTO 571-273-0025
From: Peter D. Sachtjen
Re: Serial No.: 10/628,064 WILLIAMS

MAY 16 2005

OFFICE OF PETITIONS

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL, AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US. THANK YOU.

Please forward the attached Petition to Withdraw Application from Issue to the appropriate party in order to process the Petition as soon as possible. This application is scheduled to issue on 05/24/05.

A request for express abandonment and a continuation-in-part application have been filed under separate cover.

There are 6 pages in the attached response (not including this cover page). A duplicate copy of the Petition Fee Transmittal Form has also been included for use with the Deposit Account.

PTO/SB/21 (09-04)

Approved for use through 07/31/2008. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <small>(to be used for all correspondence after initial filing)</small>	Application Number	10/628,064	FAX RECEIVED MAY 16 2005 OFFICE OF PETITIONS
	Filing Date	07/25/2003	
	First Named Inventor	WILLIAMS, Jr., Thomas M.	
	Art Unit	3611	
	Examiner Name	WINNER, Tony H.	
Total Number of Pages in This Submission	5	Attorney Docket Number	6166-04-03

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): COPY of Express Abandonment filed earlier today.
Remarks Petition to Withdraw from issue - please note application is scheduled to issue on 05/24/2005. CIP application and express abandonment filed under separate cover.		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	Mills Law Firm PLLC	
Signature	<i>Peter D. Sachtlein</i>	
Printed name	Peter D. Sachtlein	
Date	05/16/2005	Reg. No. 24,619

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature	<i>Peter D. Sachtlein</i>		
Typed or printed name	Peter D. Sachtlein	Date	05/16/2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/17p (11-04)

Approved for use through 07/31/2007, OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION FEE **Under 37 CFR 1.17(f), (g) & (h)** **TRANSMITTAL**

(Fees are subject to annual revision)

Send completed form to: Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

Application Number	10/628,064
Filing Date	07/25/2003
First Named Inventor	WILLIAMS, Jr., Thomas M.
Art Unit	3611
Examiner Name	WINNER, Tony H.
Attorney Docket Number	6166-04-03

Enclosed is a petition filed under 37 CFR 1.313 that requires a processing fee (37 CFR 1.17(f), (g), or (h)). Payment of \$130.00 is enclosed.

This form should be included with the above-mentioned petition and faxed or mailed to the Office using the appropriate Mail Stop (e.g., Mail Stop Petition), if applicable. For transmittal of processing fees under 37 CFR 1.17(i), see form PTO/SB/17i.

Payment of Fees (small entity amounts are NOT available for the petition fees)

☒ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 500498:
☒ petition fee under 37 CFR 1.17(f), (g) or (h) ☒ any deficiency of fees and credit of any overpayments
Enclose a duplicative copy of this form for fee processing.

☐ Check in the amount of \$ _____ is enclosed.

☐ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

FAX RECEIVED

Petition Fees under 37 CFR 1.17(f): Fee \$400 Fee Code 1462

For petitions filed under:

- § 1.53(e) - to accord a filing date.
- § 1.57(a) - to accord a filing date.
- § 1.182 - for decision on a question not specifically provided for.
- § 1.183 - to suspend the rules.
- § 1.378(e) - for reconsideration of decision on petition refusing to accept delayed payment of maintenance fee in an expired patent.
- § 1.741(b) - to accord a filing date to an application under § 1.740 for extension of a patent term.

MAY 16 2005

OFFICE OF PETITIONS

Petition Fees under 37 CFR 1.17(g): Fee \$200 Fee Code 1463

For petitions filed under:

- § 1.12 - for access to an assignment record.
- § 1.14 - for access to an application.
- § 1.47 - for filing by other than all the inventors or a person not the inventor.
- § 1.59 - for expungement of information.
- § 1.103(a) - to suspend action in an application.
- § 1.136(b) - for review of a request for extension of time when the provisions of section 1.136(a) are not available.
- § 1.295 - for review of refusal to publish a statutory invention registration.
- § 1.296 - to withdraw a request for publication of a statutory invention registration filed on or after the date the notice of intent to publish issued.
- § 1.377 - for review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of a patent.
- § 1.550(c) - for patent owner requests for extension of time in *ex parte* reexamination proceedings.
- § 1.956 - for patent owner requests for extension of time in *inter partes* reexamination proceedings.
- § 6.12 - for expedited handling of a foreign filing license.
- § 5.15 - for changing the scope of a license.
- § 5.25 - for retroactive license.

Petition Fees under 37 CFR 1.17(h): Fee \$130 Fee Code 1464

For petitions filed under:

- § 1.19(g) - to request documents in a form other than that provided in this part.
- § 1.84 - for accepting color drawings or photographs.
- § 1.91 - for entry of a model or exhibit.
- § 1.102(d) - to make an application special.
- § 1.138(c) - to expressly abandon an application to avoid publication.
- § 1.313 - to withdraw an application from issue.
- § 1.314 - to defer issuance of a patent.

Peter D. Sachjen
Signature

Peter D. Sachjen

Typed or printed name

05/16/2005

Date

24,619

Registration No., if applicable

This collection of information is required by 37 CFR 1.17. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9195 and select option 2